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OCT 07 2003

**Clement B Graham**  
**Examiner**  
**Art Unit 3628**  
**USPTO**

**FAX: 703-872-9326**

**RE: RESPONSE FOR YOUR THIRD ACTION LETTER MAILED 18  
AUGUST 2003 FOR APPLICATION 09/534233**

**Dear Sir,**

In response to the above action letter, our response is as attached and consist of the following

**Official Response**  
**Appendix 1 - Recital of the previously amended claims**

**Pages**

**26**  
**3**

**Total**

**29**

**Total pages of this facsimile including this cover page is**

**30**

**Thank you**

**Yours truly,**

  
**Khai Hee KWAN**

**Dated 7 Oct 2003**

**OFFICIAL**

**Application number:** 09/534233

**Art Unit:** 3628

**Applicant:** Khai Hee Kwan

**Examiner:** Clement, B Graham.

**Title:** System and method for conducting an electronic financial asset deposit auction over computer network

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TO:** Commissioner for Patents  
Virginia 22313-1450

**Sir:**

In reply to Third Office Action mailed on August 18, 2003, we respectfully ask the examiner to consider our response below.

**IN THE CLAIMS**

No amendments in this response. Our Claims stand as per our previously filed response mailed 6 May 2003 as listed for clarity in Appendix 1.

**REMARKS**

**Administrative Issues.**

- a) This third non-final action letter mailed 18 August 2003 created some issues which we are unable to verify with the examiner. Specifically, at the time of completing our response herein, we are unable to ascertain if our previously filed response mailed 6 May 2003 wherein claims amendments 15-19 and 24-38 were entered by the examiner. We have tried to communicate with the examiner on this issue by email to both examiner and supervisor dated 30 Aug 2003 and subsequently with a fax copy. We have also emailed the primary examiner on the 4 Sept 2003 in the same regard. To date we did not receive any response. In our opinion from the action letter mailed 18 August 2003 it appears the requested amendments were not entered because the examiner's responses correspond exactly to the previous action letter for claims 15-19 and 24-38. Even deleted claims 20-23 as requested and acknowledged by the examiner on the summary page carries similar rejections as per previous action letter. In the light of the above uncertainties, we have decided to respond assuming our amendments were entered against the examiner's prima facie case as per this action letter mailed 18 August 2003. If the amendments were not entered then we would like to refer the examiner to our previously mailed 6 May 2003 responses which we will not repeat here again.
- b) We are also still unsure whether the requested amendments in specification have been added as per our first response faxed 15 Oct 2002. We respectfully ask for clarification here.